



## UNITED STATES DISTRICT COURT

17 3878

CDJ  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA - DESIGNATION FORM to be used by counsel to indicate the category of the case or the purpose of this suit in the appropriate calendar.

Address of Plaintiff: c/o Suite 5000 - BNY Independence Center, 701 Market Street, Philadelphia, PA 10106-1532Address of Defendants: 649 Headquarters Rd. Ottisville, PA 18942Place of Accident, Incident or Transaction: ACTION OF ENFORCED COLLECTIONS

(Use Reverse Side For Additional Space)

Does this case involve multi-district litigation possibilities?

Yes  No 

RELATED CASE, IF ANY:

Case Number: \_\_\_\_\_ Judge: \_\_\_\_\_ Date Terminated: \_\_\_\_\_

Civil cases are deemed related when yes is answered to any of the following questions:

1. Is this case related to property included in an earlier numbered suit pending or within one year previously terminated action in this court?  
Yes  No
2. Does this case involve the same issue of fact or grow out of the same transaction as a prior suit pending or within one year previously terminated action in this court?  
Yes  No
3. Does this case involve the validity or infringement of a patent already in suit or any earlier number case pending or within one year previously terminated action in this court?  
Yes  No

CIVIL. (Place  in ONE CATEGORY ONLY)

## A. Federal Question Cases

1.  Indemnity Contract, Manne contract, and All Other Contracts
2.  FELA
3.  Jones Act-Personal Injury
4.  Antitrust
5.  Patent
6.  Labor-Management Relations
7.  Civil rights
8.  Habeas Corpus
9.  Securities Act(s) Cases
10.  Social Security Review Cases
11.  All other Federal Question Cases

## B. Diversity Jurisdiction Cases:

1. Insurance contract and Other Contracts
2. Airplane Personal Injury
3. Assault, Defamation
4. Marine Personal Injury
5. Motor Vehicle Personal Injury
6. Other Personal Injury (Please specify)
7. Products Liability
8. Products Liability - Asbestor
9. All other diversity Cases

(Please specify)

(Please specify) **Foreclosure of property encumbered by a federal mortgage.**

## ARBITRATION CERTIFICATION

(Check appropriate Category)

I, Rebecca A. Solarz, Esq., counsel of record do here by certify:

Pursuant to Local civil Rule 52.2. Section 2(2), that to the best of my knowledge and belief, the damages recoverable in this civil action case exceed the sum of \$150,000.00 exclusive of interest and costs.

Relief other than monetary damages is sought.

DATE: \_\_\_\_\_

(sig)

Attorney-at-Law

Attorney i.d.#

**NOTE: A trial de novo will be a trial by jury only if there has been compliance with F.R.C.P. 39.**

I certify that, to my knowledge, the within case is not related to any case now pending or within one year previously terminated action in this court except as noted above.

DATE: 8/22/17

Attorney-at-Law

(sig)

315936

Attorney i.d.#

CDJ

**UNITED STATES DISTRICT COURT**  
**FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA

vs.

FREDERICK M. ROCK

Plaintiff

Defendant

CIVIL ACTION NO.

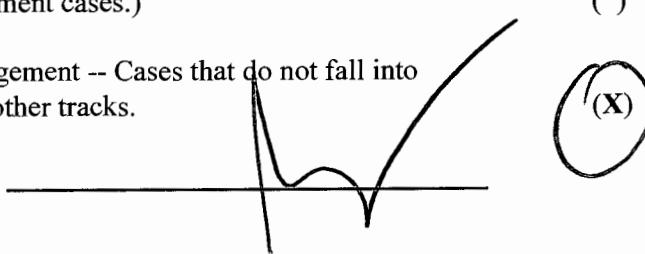
17 3878

In accordance with the Civil Justice Expense and Delay Reduction Plan of this court, counsel for plaintiff shall complete a case Management Track Designation Form in all civil cases at the time of filing the complaint and serve a copy on all defendants. (See § 1:03 of the plan set forth on the reverse side of this form.) In the event that the defendants do not agree with the plaintiff regarding said designation, that the defendants shall, with their first appearance, submit to the clerk of court and serve on the plaintiff and all other parties, a case management track designation form specifying the track to which those defendants believe the case should be assigned.

**SELECT ONE OF THE FOLLOWING CASE MANAGEMENT TRACKS:**

- (a) Habeas Corpus -- Cases brought under 28 U.S.C. §2241 through §2255. ( )
- (b) Social Security -- Cases requesting review of a decision of the Secretary of Health and Human Services denying plaintiff Social Security Benefits. ( )
- (c) Arbitration -- Cases required to be designated for arbitration under Local Civil Rule 53.2. ( )
- (d) Asbestos -- Cases involving claims for personal injury or property damage from exposure to asbestos. ( )
- (e) Special Management -- Cases that do not fall into tracks (a) through (d) that are commonly referred to as complex and that need special or intense management by the court. (See reverse side of this form for a detailed explanation of special management cases.) ( )
- (f) Standard Management -- Cases that do not fall into any one of the other tracks. (X)

8/22/2017  
 Date


Rebecca A. Solarz, Esq.

**Attorney for Plaintiff, United States of America**  
 Pennsylvania Attorney I.D. No. 315936  
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AUG 28 2017

**CDJ**

UNITED STATES DISTRICT COURT

FOR THE

EASTERN DISTRICT OF PENNSYLVANIA

**UNITED STATES OF AMERICA**

**Plaintiff**

**vs.**

**FREDERICK M. ROCK**

**Defendant**

**17 3878**

**CIVIL NO.**

**COMPLAINT**

The United States of America, on behalf of its Agency, U.S. Department of Health and Human Services, by its specially appointed counsel, Rebecca A. Solarz of KML LAW GROUP, P.C., represents as follows:

1. This Court has jurisdiction pursuant to 28 U.S.C. 1345.
2. The last-known address of the Defendant, FREDERICK M. ROCK (“Defendant”) is 649 Headquarters Rd., Ottisville, PA 18942.
3. That the defendant is indebted to the plaintiff in principal amount of \$48,620.50, plus interest of \$786.42, for a total of \$49,406.92. A true and correct copy of the Certificate of Indebtedness is attached as Exhibit “A” (“Certificate of Indebtedness”).
4. Demand has been made upon Defendant by Plaintiff for the sum due but the amount due remains unpaid.

WHEREFORE, the plaintiff demands judgment against Defendant as follows;

(A) In the amount \$49,406.92.

- (B) Plus filing fee allowed pursuant to 28 U.S.C., Section 1914 in the sum of \$150.00.
- (C) Interest from the date of judgment at the legal rate of interest in effect on the date of judgment until paid in full.
- (D) Costs of suit.

Notice is hereby given to Defendant that Plaintiff intends to seek satisfaction of any judgment rendered in its favor in this action from any debt accruing.

United States of America by and through  
its specially appointed counsel  
KML Law Group, P.C.

By: \_\_\_\_\_  
Rebecca A. Solarz, Esquire  
BNY Independence Center  
701 Market Street  
Suite 5000  
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UNITED STATES DISTRICT COURT

FOR THE

EASTERN DISTRICT OF PENNSYLVANIA

**UNITED STATES OF AMERICA**

**Plaintiff**

**CIVIL NO.**

**vs.**

**FREDERICK M. ROCK**

**Defendant**

**EXHIBITS**

**“A” CERTIFICATE OF INDEBTEDNESS**



## DEPARTMENT OF HEALTH &amp; HUMAN SERVICES

Program Support Center

Debt Collection Center

**CERTIFICATE OF INDEBTEDNESS**  
***Health Education Assistance Loans***

Frederick M Rock  
 649 Headquarters Rd  
 Ottisville, PA 18942  
 HHS Claim Number: 50182661

Total debt due the United States as of August 10th, 2017: \$ 49,406.92 (principal \$48,620.50, interest \$786.42).

I certify that the Department of Health and Human Services' (HHS) records show that the above named individual is indebted to the United States in the amount stated above. Interest accrues on the principal amount of this debt at the rate of 4.00% per annum. The interest accrues at \$5.33 per day. Due to the compounding of interest, the current principal amount is greater than the original amount borrowed.

The claim arose in connection with Health Education Assistance Loan(s) made by a private lender and assigned to the United States.

Mr. Rock applied for and was granted the following Health Education Assistance Loans (HEAL), Section 701-720 of the Public Health Service Act (42 U.S.C. 292).

Date of <u>Promissory Note</u>	Amount of <u>Promissory Note</u>	Amount <u>Disbursed</u>
08/22/88	\$4,400.00	\$4,400.00
03/29/90	\$4,290.00	\$4,290.00
08/02/90	\$10,830.00	\$10,830.00

Mr. Rock signed promissory note(s) agreeing to repay the loan(s) beginning the first day of the tenth month after ceasing to be a full-time student or completing a residency program.

Due to default, an insurance claim was filed with the United States. The amount due was \$44, 844.00. The lender's claim was paid on March 18, 2012, and an assignment of the notes was received.

The HHS notified Mr. Rock by letter dated March 21, 2012, that the previous holder of the HEAL promissory note(s) placed him in default and assigned the note(s) to the U.S. Government.

Additional notifications and demand letters regarding the indebtedness were sent on the following dates: July 06, 2012; August 29, 2012.

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CERTIFICATE OF INDEBTEDNESS

In a letter dated October 8, 2016, Mr. Rock was sent instructions for entering into a Repayment Agreement (RA). He was notified that unless payment in full or a fully document RA was received within 30 days, the case would be referred to DOJ for enforced collection. He did not comply.

Total Payments made to the United States: \$ 3,564.50

Repeated attempts by HHS have been unsuccessful in establishing an acceptable repayment agreement. The debt is now being referred to the U.S. Department of Justice (DOJ), Eastern District of Pennsylvania, 615 Chestnut St., Suite 1250 Philadelphia, PA 19106-4476 for enforced collection.

**CERTIFICATION:** Pursuant to 28 U.S.C. 1746, I certify under penalty of perjury that the foregoing is true and correct.

8/11/2017  
Date



Melodie R. Sanders  
Chief, Debt Referral Section  
Program Support Center  
U.S. Department of Health and Human Services

<b>Calculation Summary</b>	
<b>Debtor's Last Name</b>	<b>Rock</b>
<b>Case Number</b>	<b>50182661</b>
Principal	\$48,620.50
Interest	\$786.42
<b>Total Due</b>	<b>\$49,406.92</b>
Interest Through Date	08/10/17
Interest Rate	4.000%
Daily Interest Accrual	\$5.33
Total Payments to the United States	\$3,564.50